

TOWNSHIP OF LOPATCONG

September 7, 2011

The meeting of the Township Council was called to order at 7:30 pm by Mayor Steinhardt. The meeting was held in the Municipal Building located at 232 S. Third Street, Phillipsburg, New Jersey 08865.

Mayor Steinhardt stated “adequate notice of this meeting has been provided indicating the time and place of this meeting in accordance with Chapter 231 of the Public Laws of 1975 by advertising a Notice in The Star Gazette and The Express-Times and by posting a copy on the bulletin board in the Municipal Building.”

A Prayer was offered followed by the Oath of Allegiance.

Present: Mayor Steinhardt, Council President Camporine, and Councilmen Baker. Also present were CFO Dobes, Tax Collector Edinger, Attorney Campbell and Engineer Sterbenz.

Resolution 11-77 was passed to hold an Executive Session to discuss Tilcon Lawsuit, Raub Lawsuit, Sewer Billing issues, unpaid internship for Becky Schneck, Flu Shots, appoint Jim Marinelli second in command for DPW, Reimburse Delaware Park Engine Co. No. 1 \$894.61 for work completed on air conditioning unit, Brian Weeks equipment purchase, welding equipment replacement and Mleziva sewer matter

**Old Business:**

**Minutes** – Mayor Steinhardt asked for a motion to approve minutes of August 3 and August 17, 2011. Motion by Councilman Mengucci, seconded by Councilman Curry. Roll call vote:

AYES: Councilman Baker, Councilman Mengucci, Councilman Curry, Council President Camporine and Mayor Steinhardt.

NAYS: None

ABSTAIN: Councilman Mengucci and Curry – August 3, 2011.

**New Business:**

**Ordinance No. 2011-14** – Create Chapter 106 entitled “Grading” in conjunction with construction of new or additions to residential dwellings.

ORDINANCE 2011-14

ORDINANCE CREATING CHAPTER 106 OF THE CODE OF THE TOWNSHIP OF  
LOPATCONG, WARREN COUNTY, NEW JERSEY  
ENTITLED “GRADING”

WHEREAS, the grading of properties in conjunction with the construction of new or additions to single-family and two-family residential dwellings needs to be monitored due to potential impacts on adjacent or downstream properties from increased stormwater runoff; and

WHEREAS, the Governing Body of the Township of Lopatcong would like to implement requirements for the preparation of grading plans that would need to be submitted to and approved by the Township Engineer either prior to a construction permit being issued for new or additions to new single-family or two-family residential dwellings or prior to the regrading of an area exceeding 5,000 square feet on an existing lot;

NOW THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF LOPATCONG, AS FOLLOWS:

**SECTION 1**

A new ordinance Chapter 106 entitled “Grading” is added as follows:

§106-1 Purpose

The purpose of this chapter is to establish standards for the preparation of grading plans that must be submitted to the Township of Lopatcong for review and approval either prior to a construction permit being issued for a new or additions to single-family or two-family residential dwellings or prior to a property owner regrading an area exceeding 5,000 square feet on an existing lot in order to promote the health, safety, and general welfare of the municipality through among other things, the lessening of soil erosion and the impacts of increased stormwater runoff.

§106-2 Grading Plan Permit Process

- A. Unless waived by the Township Engineer, no construction permit shall be issued for a new or additions to a single-family or two-family dwelling unless a grading plan, which is approved by the Township Engineer and found either to be consistent with the Code of the Township or with any final grading plan approved by the Planning Board or the Zoning Board of Adjustment, as the case may be, as part of a variance, subdivision or site plan application, has been provided and the required fees and guarantees have been deposited with the Township.
- B. Unless waived by the Township Engineer, no owner of property in the Township shall grade an area exceeding 5,000 square feet unless a grading plan consistent with the Code of the Township is submitted to and approved by the Township Engineer.
- C. Any applicant for a building permit for a new or an addition to a single-family or two-family dwelling, or a property owner seeking to grade an area exceeding 5,000 square feet shall submit a grading plan to the Township Engineer and shall apply the following principles of soil erosion and stormwater control in preparing the grading plan:
  - 1. Where feasible, natural vegetation shall be retained on-site.
  - 2. Stripping and/or removal of vegetation, grading or other soil disturbances shall be done in a manner which will minimize soil erosion and stormwater runoff.
  - 3. The extent of the disturbed area and the duration of its exposure shall be kept within practical limits.
  - 4. Temporary seeding, mulching or other suitable stabilization measures shall be used to protect exposed critical areas during construction and other land disturbances.
  - 5. Drainage provisions shall accommodate increased onsite runoff from modified soil and surface condition both during and after site development.
  - 6. Stormwater runoff leaving the site shall be controlled according to sound engineering design standards and shall be retained onsite wherever possible to facilitate groundwater recharge. In no event shall the rate of runoff from the site be increased from its predevelopment condition.
  - 7. Sediment shall be retained onsite.
  - 8. Diversion, settlement basins and similar required structures shall be installed prior to any onsite grading or disturbance.

§106-3 Details Required For Grading Plans

- A. Every grading plan shall be drawn at a scale of not greater than one inch equals fifty feet (1” = 50’) and prepared by a New Jersey licensed professional engineer or licensed architect, including accurate lot lines certified by a New Jersey licensed professional land surveyor and submitted on one of four (4) of the following standard sheet sizes: 8-1/2” x 13”; 15” x 21”; 24” x 36”; or 30” x 42”.

A statement shall be included on each grading plan, where applicable, verifying that the grading plan for this lot is in compliance with the conditions of any variance, subdivision or site plan approved by the Planning Board or the Zoning Board of

Adjustment, as the case may be, and with the final grading plan of said approved variance, subdivision or site plan.

Each grading plan shall be prepared in sufficient detail to show the following information except as waived by the Township Engineer:

1. The location of the house in relation to the zoning district setbacks and property lines and any existing and proposed driveways, sidewalks, septic systems, utilities or other structures.
  2. Existing and proposed grades at one-foot (1') contour intervals.
  3. Spot elevations at house corners, driveway, first floor, garage and basement elevations, lot corners, center line of street, edge of pavement and any other locations as necessary.
  4. Any proposed driveway shall comply with the provisions of Chapter 105 of the Code of the Township of Lopatcong. The applicant shall submit a profile of the proposed driveway and typical pavement detail.
  5. Detail of driveway and street intersection.
  6. The location of the one-hundred year flood plain or certification that the property is not in a flood plain by the engineer or land surveyor and location of any wetlands and transition areas or a certification by the engineer or land surveyor indicating that the property is not in the wetlands.
  7. Limits of clearing and disturbed areas. All wooded areas and any existing trees exceeding six inches (6") in diameter at a point four feet (4') above the existing grade line, which trees are located within the clearing limits and ten feet (10') beyond the outer limits of the disturbed area, shall be shown.
  8. Soil erosion and sediment control plans shall include but not be limited to wheel cleaning blankets, location of sediment filter fences, temporary and permanent seeding, general notes and any other requirement of the Township Engineer.
  9. The existing surface drainage pattern shall include but not be limited to swales, ditches, brooks or other drainage patterns, and how it affects the subject property. Any proposed changes in the existing surface drainage pattern which will result from the construction of the dwelling proposed for the subject property shall be shown.
  10. The proposed location of all existing and proposed roof leader drains.
  11. The location of any existing or proposed stormwater sewer system.
  12. The location of any retaining walls with top and bottom of wall elevations. Plans, profiles, cross-sections, and details of all retaining walls showing the height of wall, the elevation at the top and bottom of each wall, the materials to be used, a profile and cross-section of the wall, any proposed plantings, any safety barriers, calculations of anticipated earth and hydrostatic pressures and surcharges, and calculations detailing the wall design shall be provided unless such documents were reviewed and approved as part of a subdivision or site plan application. All plans, details and calculations shall be prepared, signed, and sealed by a licensed professional engineer.
  13. The location and grading of sewerage facilities to be either a house lateral or an onsite sewage disposal system in accordance with Chapter 179 of the Township of Lopatcong Code and approved by the Health Department (a copy of the approved septic system shall accompany the plan).
  14. Lot and block numbers as per the tax assessment map.
  15. The location and extent of any "critical areas", as defined in Section 243-78.1 of the Code of the Township.
  16. Any other detail deemed necessary for approval by the Township Engineer.
- B. In addition to the above required grading plan, the applicant also shall provide a complete set of architectural plans for the new or expanded dwelling unit, signed and sealed by a licensed architect.
- C. The applicant shall submit three (3) copies of the grading plan and associated fees to the Construction Department. The Construction Official shall forward the plans to the Township Engineer, who shall make a report to the Construction Official within twenty (20) calendar days of receipt of the plans. Failure to review and comment upon the grading plan within twenty (20) calendar days of submission to the

Township Engineer shall give the Construction Official the right to issue a construction permit without receipt of such comments.

D. No Certificate of Occupancy shall be issued for a new or expanded single-family or two-family dwelling unless the lot has been developed in accordance with the approved grading plan:

1. A foundation location survey, signed and sealed by a licensed land surveyor, shall be submitted to the Township Engineer prior to the framing of the dwelling. The Township Engineer shall report to the Construction Official within seven (7) calendar days of receipt of the foundation location survey if the foundation, as shown on the survey, was not constructed at the location and elevation approved by the Township Engineer.
2. An as-built drawing shall be submitted to the Township Engineer for review, unless waived by the Township Engineer. The Township Engineer shall report to the Construction Official within fifteen (15) calendar days of receipt of the as-built drawing that the work has been completed in accordance with the grading plan.

#### §106-4 Fees and Costs

- A. There shall be paid at the time of submittal of the grading plan a review fee of two hundred dollars (\$200.00), except when the grading plan includes or requires a retaining wall(s), the review fee shall be five hundred dollars (\$500.00). If the plan is returned for corrections, an additional fee of seventy-five (\$75.00) shall be paid for each resubmission within thirty (30) calendar days of the return of the rejected grading plan. If the resubmission is made after more than thirty (30) calendar days, a new fee will be required.
- B. In addition to the review fee, the applicant shall pay a fee of two percent (2%), not to exceed three hundred dollars (\$300.00) of the estimated cost for all soil erosion measures, stormwater management and site improvements. This fee shall be determined by the Township Engineer. This fee shall be put in escrow to defray the cost of inspections, as well as legal and engineering work. If the escrow does not cover said costs, then additional fees will be required. Failure to do so shall stay the issuance of a Certificate of Occupancy. Any remaining monies shall be returned to applicant.

#### §106-5 Liability for Damages

Any person or persons, firm or corporation violating any of the provisions of this chapter which results in damage to or obstruction of any public road, gutter, storm drain, ditch, basin, inlet or culvert during or following construction shall be responsible for all expenses incurred by the municipality in repairing said damage or removing said obstruction, in addition to the penalty herein provided.

#### §106-6 Violations and Penalties

Any person or persons, firm or corporation violating any of the provisions of this chapter shall, upon conviction thereof, be subject to a fine not to exceed \$1,000.00 or imprisonment for a period not to exceed 90 days or a period of community service not to exceed 90 days, or any combination thereof. Each and every day that a violation continues after notification thereof shall constitute an additional, separate and specific violation.

#### §106-7 Short Title

The short title of this chapter shall be the “Township of Lopatcong Grading Ordinance.”

## SECTION 2

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

## SECTION 3

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

## SECTION 4

Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

### **NOTICE**

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Township of Lopatcong held on September 7, 2011 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Council to be held on October 5, 2011 at 7 p.m. or as soon thereafter as the Township Council may hear this Ordinance at the Municipal Building, 232 South Third Street, Phillipsburg, NJ at which time all persons interested may appear for or against the passage of said Ordinance.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Ordinance on first reading. Motion by Councilman Mengucci, seconded by Councilman Baker. Roll call vote:

AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.

NAYS: None

**Ordinance No. 2011-13** – Create Chapter 117 entitled “Firearms” to regulate the discharge of Firearms.

### **ORDINANCE NO. 2011-13**

#### **ORDINANCE OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN, STATE OF NEW JERSEY, TO CREATE CHAPTER 117 ENTITLED “FIREARMS” TO REGULATE THE DISCHARGE OF FIREARMS.**

**WHEREAS**, the Township Committee of the Township of Lopatcong, County of Warren, State of New Jersey, has determined that there is a need to protect the public health, safety and general welfare of the citizens of Lopatcong Township by regulating the discharge of firearms within the Township

**WHEREAS**, the Township Committee of the Township of Lopatcong, County of Warren, State of New Jersey, has determined that Chapter 117 “Firearms,” of the Code of the Township of Lopatcong shall be created to regulate the discharge of firearms within the Township.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Lopatcong, County of Warren, State of New Jersey that Chapter 117 “Firearms”, of the Code of the Township of Lopatcong shall be created as followings:

Section 1

**Chapter 117  
Firearms**

117-1. Definition.

*Firearm* – Any gun, shotgun, rifle, pistol, revolver or other devise, including air guns, from which a bullet, shot, ball, slug, pellet, solid projectile or other missile, or any gas, vapor or other noxious thing, is propelled by means of a cartridge or shell or by the action of an explosive or the igniting of flammable or explosive substances.

117-2. Discharge of firearms restricted.

- A. No person, while engaged in target shooting, practice shooting or other similar activities within the limits of the Township, shall at any time fire or discharge or cause to be fired or discharged any pistol, shotgun, rifle or other firearm within 300 feet of an occupied building. Nothing in this section shall prohibit the discharge of firearms by any person on property occupied by them as an owner or tenant, provided that firearms are not discharged upon or across any public or private road, driveway (unless the road or driveway is owned or leased by said person or a member of his immediate family) or highway used by the public generally or within 300 feet of any building owned by any other person. The provisions of this section shall not apply to any pistol or rifle range which has been duly licensed.
- B. There shall be no discharge of firearms prior to dawn and after dusk. The provisions of this section shall not apply: (1) to farmers duly authorized by the State of New Jersey Department of Environmental Protection, Division of fish and Game for the purposes of deer management or (2) to outdoor lighted skeet shooting ranges.

117-3. Exceptions.

The provisions of this chapter shall not apply to:

- A. Any duly appointed law officer in the course of his or her official duty.
- B. The use of firearms when necessary for the preservation of human life.
- C. The use of firearms when hunting in conformity with the applicable laws and regulations of the State of New Jersey.
- D. Veterinary use of tranquilizer guns.
- E. Veterinary use of firearms for the purpose of euthanasia.

117-4. Enforcement.

The Lopatcong Police Department shall be the public agency designated to enforce the provisions of this ordinance. The Township reserves the right to seek an injunction to enjoin any activity in violation of this ordinance. The Township further reserves the right to seek all reasonable litigation costs and reasonable attorney fees and all costs of any corrective action taken to remedy damages done to its properties.

117-5. Violations and penalties.

Any person, firm or corporation violating any provision of this chapter shall, upon conviction, be subject to a fine of not less than \$100 or more than \$1,250, a term of imprisonment not exceeding 90 days or a period of community service not exceeding 90 days, or any combination thereof.

Section 2:

Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

Section 3:

Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as to their inconsistencies only.

Section 4:

Effective Date. This Ordinance shall take effect upon final passage and publication as provided by law.

**NOTICE**

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Township of Lopatcong held on September 7, 2011 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Township Council to be held on October 5, 2011 at 7 p.m. or as soon thereafter as the Township Council may hear this Ordinance at the Municipal Building, 232 S. Third Street, Phillipsburg, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Ordinance on first reading. Motion by Councilman Mengucci, seconded by Councilman Curry. Roll call vote:

AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.

NAYS: None

**Resolution No. 11-78 – Renew Membership with Morris County Cooperative Pricing Council.**

R 11-78

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN  
AND STATE OF NEW JERSEY AUTHORIZING EXECUTION OF AN  
AGREEMENT WITH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL  
TO RENEW MEMBERSHIP THEREIN FOR THE PERIOD OF OCTOBER 1, 2011  
THROUGH SEPTEMBER 30, 2016

WHEREAS, the Morris County Cooperative Pricing Council (“MCCPC”) was created in 1974 to conduct a voluntary cooperative pricing system with municipalities, boards of education, and other public bodies located in the County of Morris and adjoining counties; and

WHEREAS, the purpose of the MCCPC is to provide substantial savings on various goods and services to its members through the cooperative public bidding process; and

WHEREAS, the Township of Lopatcong desires to enter into an Agreement with the MCCPC which is administered by Randolph Township as Lead Agency to renew its membership in the MCCPC for the period of October 1, 2011 through September 30, 2016.

BE IT RESOLVED, by the Township of Lopatcong, County of Warren and State of New Jersey as follows:

1. Mayor and Council of the Township of Lopatcong hereby authorizes the execution of an Agreement with Morris County Cooperative Pricing Council by the Township of Randolph as Lead Agency dated October 2, 2011 pursuant to N.J.S.A. 40A:11-11 (5). Said Agreement is for renewal of membership in the MCCPC for a five (5) year period from October 1, 2011 through September 30, 2016.
2. The Township of Lopatcong Clerk is hereby directed to submit a copy of this adopted Resolution along with an executed Agreement to Randolph Township as Lead Agency for the MCCPC.
3. This Resolution shall take effect immediately upon final passage according to law.
4. All appropriate Township of Lopatcong officials are authorized and directed to perform all required acts to affect the purpose of this Resolution.

#### CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, September 7, 2011.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Resolution. Motion by Councilman Mengucci, seconded by Councilman Curry. Roll call vote:

AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.

NAYS: None

**ASCAP License** - approve License Agreement with American Society of Composers, Authors and Publishers for playing radio at the pool at a cost of \$309.00. Motion by Councilman Curry, seconded by Councilman Baker. Roll call vote:

AYES: Councilmen Baker, Mengucci, Curry and Council President Camporine

NAYS: Mayor Steinhardt

**Delaware Park Engine Co. No. 1** – approve membership for Kyle Weirsky. Motion by Councilman Baker, seconded by Councilman Mengucci. Roll call vote:

AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.

NAYS: None

**2011 Best Practice Inventory** – yearly requirement by the Department of Community Affairs. Motion by Councilman Baker, seconded by Councilman Mengucci. Roll call vote:

AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.

NAYS: None

**Resolution No. 11-79** – Dedication by Rider for Uniform Safety Act Penalty Moneys.

R 11-79

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN  
AND STATE OF NEW JERSEY REQUESTING PERMISSION FOR THE

DEDICATION BY RIDER FOR UNIFORM FIRE SAFETY ACT PENALTY  
MONEYS REQUIRED BY NJSA 52:27D-192 ET. SEQ., NJAC 5:702.12 (f) 2. AND  
12A (b)

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is subject to reasonably accurate estimates in advance; and

WHEREAS, NJSA 52:27D-192 ET. SEQ., NJAC 5:702.12 (f) 2. AND 12A (b) provides for receipt of Uniform Fire Safety Act Penalty Moneys by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Uniform Fire Safety Act Penalty Moneys are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Mayor and Council of the Township of Lopatcong, County of Warren and State of New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Uniform Fire Safety Act Penalty Moneys Required by NJSA 52:27D-192 ET. SEQ., NJAC 5:702.12 (f) 2. and 12A (b).
2. The Clerk of the Township of Lopatcong, County of Warren and State of New Jersey is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, September 7, 2011.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Resolution. Motion by Councilman Baker, seconded by Councilman Mengucci. Roll call vote:  
AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.  
NAYS: None

**Resolution No. 11-80** – Approve \$1,000 as Item of Revenue.

R 11-80

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN  
AND STATE OF NEW JERSEY REQUESTING APPROVAL OF ITEMS OF  
REVENUE AND APPROPRIATIONS NJSA 40A:4-87

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong in the County of Warren, New Jersey hereby requests the Director of the

Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$1,000.00, which is now available from private funds, Mr. and Mrs. Jeffrey Varone in the amount of \$1,000.00.

BE IT FURTHER RESOLVED that the like sum of \$1,000.00 is hereby appropriated under the caption Police Department Donation for Police expenses.

BE IT FURTHER RESOLVED that the above is the result of funds from private funds, Mr. and Mrs. Jeffrey Varone in the amount of \$1,000.00.

#### CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, September 7, 2011.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Resolution. Motion by Councilman Baker, seconded by Councilman Mengucci. Roll call vote:  
AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.  
NAYS: None

**Resolution No. 11-81** – Chapter 159 for 2008 Recycling.

R 11-81

#### RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN AND STATE OF NEW JERSEY REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATION NJSA 40A:4-87

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Township of Lopatcong in the County of Warren, New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$28,699.73 which is now available from the State of new Jersey Recycling Tonnage Grant 2008.

BE IT FURTHER RESOLVED that the like sum of \$28,699.73 is hereby appropriated under the caption State of New Jersey Recycling Tonnage Grant 2008.

BE IT FURTHER RESOLVED that the above is the result of funds from State of New Jersey Recycling Tonnage Grant 2008 in the amount of \$28,699.73.

#### CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, September 7, 2011.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Resolution. Motion by Councilman Baker, seconded by Councilman Mengucci. Roll call vote:  
AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.  
NAYS: None

**Resolution No. 11-82** – Chapter 159 for 2009 Recycling.

R 11-82

RESOLUTION OF THE TOWNSHIP OF LOPATCONG, COUNTY OF WARREN  
AND STATE OF NEW JERSEY REQUESTING APPROVAL OF ITEMS OF  
REVENUE AND APPROPRIATION NJSA 40A:4-87

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made availability by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVE that the Mayor and Council of the Township of Lopatcong in the County of Warren, New Jersey requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$10,996.17 which is now available from State of New Jersey Recycling Tonnage Grant 2009.

BE IT FURTHER RESOLVED that the like sum of \$10,996.17 is hereby appropriated under the caption State of New Jersey Recycling Tonnage Gran 2009.

BE IT FURTHER RESOLVED that the above is the result of funds from State of New Jersey Recycling Tonnage Grant 2008/2009 in the amount of \$10,996.17.

CERTIFICATION

I, Margaret B. Dilts, Municipal Clerk of the Township of Lopatcong, County of Warren and State of New Jersey do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by Council at a meeting held on Wednesday, September 7, 2011.

Margaret B. Dilts, CMC

Mayor Steinhardt asked for a motion to adopt this Resolution. Motion by Councilman Baker, seconded by Councilman Mengucci. Roll call vote:  
AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.  
NAYS: None

**Council Reports:**

Councilman Baker – No report.

Councilman Mengucci – Thanks to the Volunteers and Gary Woolf, Emergency Management.

Councilman Curry – Thanked Steve Hockman for years of service in the DPW.

Council President Camporine – Thanked Steve Hockman for years of service.

Mayor Steinhardt asked for a motion to approve reimbursement of \$894.61 to Delaware Park Engine Co. No. 1 for work completed on their air conditioning unit. Motion by Councilman Baker, seconded by Councilman Mengucci. Roll call vote:

AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.

NAYS: None

**Welding Equipment** – DPW Director Brian Weeks asked to purchase welding equipment at a cost of \$1689.58. Motion by Councilman Mengucci, seconded by Councilman Baker. Roll call vote:

AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.

NAYS: None

**Internship Tax Collector's Office** – Approve unpaid internship for Becky Schneck to work 2 hours one day per week in the Tax Collector's Office. Motion by Councilman Mengucci, seconded by Councilman Baker. Roll call vote:

AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.

NAYS: None

**DPW Second in Command** – Motion by Councilman Curry, seconded by Council President Camporine. Roll call vote:

AYES: Councilmen Baker, Mengucci, Curry, Council President Camporine and Mayor Steinhardt.

NAYS: None

**Public Comment:**

Mr. Crouse/Mr. Kobble – questions regarding the Raub Farm and Lawsuit.

Resident – Complaint about grass at 617/619 Youngs Road.

Resident – Conditions of Fox Farm Road.

Mayor Steinhardt asked for a motion to adjourn the meeting. Motion by Councilman Mengucci, seconded by Councilman Baker. All in favor.

Respectfully submitted,

Margaret B. Dilts  
Clerk/Administrator

Douglas J. Steinhardt  
Mayor